

STEPTOE & JOHNSON PLLC  
UNITED CENTER SUITE 400 1085 VAN VOORHIS RD  
MORGANTOWN, WV 26507-1616

674-567

DECLARATION OF OIL AND GAS NOTICE

(Tax Map 1, Webster District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY  
CONSOL PENNSYLVANIA COAL COMPANY LLC  
RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY  
MCELROY COAL COMPANY  
CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by  
D. R. KEPACKEN, its VICE PRESIDENT, by authority duly given.  
ASSISTANT MANAGER

JAN FEST  
MARSHALL County 03:33:13 PM  
Instrument No 1261468  
Date Recorded 12/05/2008  
Document Type O&G  
Book-Page 674-567  
Recording Fee \$8.00  
Additional \$6.00

CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

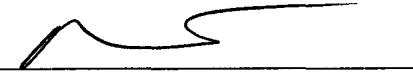
By: D. R. Kepacken  
Its: ASSISTANT MANAGER

~~674 and 568~~

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by ROBERT P. KLINE, its VICE PRESIDENT, by authority duly given.

CONSOLIDATION COAL COMPANY

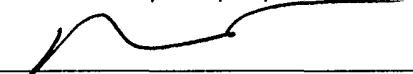
a Delaware corporation:

By: 

Its: VICE PRESIDENT

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by ROBERT P. KLINE, its VICE PRESIDENT, by authority duly given.

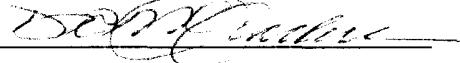
CONSOL PENNSYLVANIA COAL COMPANY LLC  
a Delaware limited liability company:

By: 

Its: VICE PRESIDENT

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by D. P. McCracken, its VICE, by authority duly given.

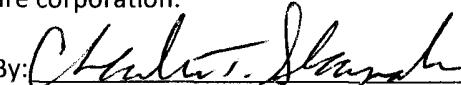
RESERVE COAL PROPERTIES COMPANY  
a Delaware corporation:

By: 

Its: VICE PRESIDENT

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of November, 2008, by CHARLES T. SAWYAK, its VICE PRESIDENT, by authority duly given.

MCELROY COAL COMPANY  
a Delaware corporation:

By: 

Its: VICE PRESIDENT

2008 074 20569

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by  
D. E. McCracken, its VICE PRESIDENT, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

By: D. E. McCracken  
Its: VICE PRESIDENT

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

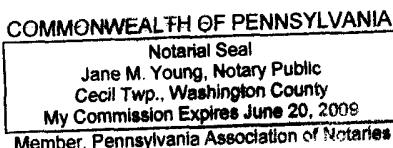
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. E. McCracken, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)

Jane M. Young  
Notary Public

My Commission expires JUNE 20, 2009

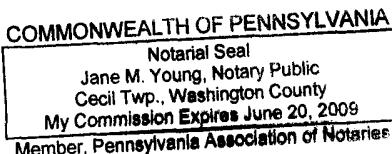


300 674-570

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)



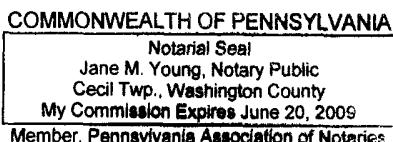
Jane M. Young  
Notary Public

My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)



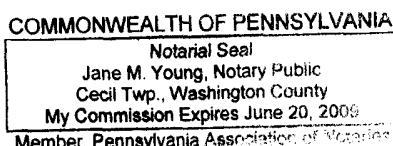
Jane M. Young  
Notary Public

My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared J. D. R. LIECHTENBERG, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)



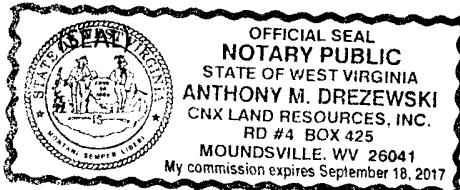
Jane M. Young  
Notary Public

My Commission expires JUNE 20, 2009

STATE OF West Virginia  
COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF MARSHALL

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Before me, Anthony M. Drezenksi, a Notary Public, on this day personally appeared CHARLES T. SNAYNAR, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of November, 2008.

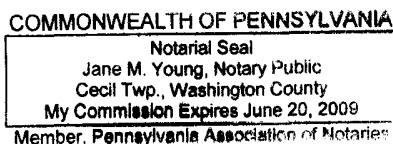


Anthony M. Drezenksi  
Notary Public  
My Commission expires September 18, 2017

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. R. McCACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)



Jane M. Young  
Notary Public  
My Commission expires JUNE 20, 2009

This Document Prepared By:

J. Kevin Ellis  
WV Bar No. 9964  
Steptoe & Johnson PLLC  
1085 Van Voorhis Road  
PO BOX 1616  
Morgantown, WV 26507  
(304) 598-8000

**EXHIBIT A - SURFACE TRACTS (SHOEMAKER MINE)**  
**Tax Map 1, Webster District, Marshall County, West Virginia**

**674** ~~572~~

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
	1 2	GEETA	Goraskshy-Sera & Environmental Education Trust of America, Inc.	RR 6 Box 278B	Wheeling	WV	26003	82,911 A Wheeling Creek	628/565
	1 2.1	Fintel	Douglas	RR 6 Box 278B	Wheeling	WV	26003	41,302 A Wheeling Creek	625/685
	1 2.2	Bauer	Robert E. & Debra Rae	RR 6 Box 278F	Wheeling	WV	26003	10,787 A Wheeling Creek	624/266
	1 3	GEETA	Goraskshy-Sera & Environmental Education Trust of America, Inc.	RR 6 Box 278B	Wheeling	WV	26003	9,18 J Shepard	628/565
	1 3.1	DNR of State of WV	Goraskshy-Sera & Environmental Education Trust of America, Inc.	RR 6 Box 278B	Moundsville	WV	26041	4.6 A Birches Run	428/249
	1 4	GEETA	State of WV for use of Conservation	RR 6 Box 278B	Wheeling	WV	26003	77,072 A Birch Run	628/565
	1 4.1	Commission of WV	David L.	RD 3 Box 178X	Wheeling	WV	26003	39,52 A Birch Run	347/244
	1 4.2	Hanson	Melinda Dawn	4609 Bayard St. Apt. 74	Pittsburgh	PA	15213	2 A Birch Run	661/79
	1 4.3	Wiselka		RR 6 Box 28J	Wheeling	WV	26003	43,806 sq. ft. Birch Run	624/582
	1 4.4	Fisher	Maureen	RR 6 Box 28J	Wheeling	WV	26003	.565 A Birch Run	618/551
	1 4.5	Fisher	Maureen	RR 6 Box 28J	Wheeling	WV	26003	.675 A Birch Run	618/551
	1 4.6	Fisher	Maureen	RR 6 Box 28J	Wheeling	WV	26003	.301 A Birch Run	618/617
	1 4.7	Wilson	Philip C. & Nancy L.	RR 3 Box 175	Wheeling	WV	26003		650/14
	1 4.8	Robson	Gerald H. & Theodore J.	RR 3 Box 278D	Wheeling	WV	26003	2,867 A Birch Run	641/72
	1 4.9	Newberry	Philip E.	RD 6 Box 278B	Wheeling	WV	26003	1,062 A Birch Run	622/609
	1 4.10	Brose	James F. & Carolyn J.	RD 3 Box 278	Wheeling	WV	26003	.538 Birch Run 1970 Mobile Home	623/187
	1 4.11	Brose	James F. & Carolyn J.	RD 3 Box 278	Wheeling	WV	26003	1,462 A Birch Run	623/187
	1 4.12	Sheldon	Terry Rae	RR 6 Box 278H	Wheeling	WV	26003	1,1287 A Birch Run	618/63
	1 4.13	Wilson	Philip C. & Nancy L.	RR 3 Box 175	Wheeling	WV	26003	.706 A Birch Run	634/356
	1 4.14	Vincilione	Robert D. & Lou Lee	RR 6 Box 278I	Wheeling	WV	26003	1,509 A Birch Run	593/114
	1 4.15	Pure Foods, Inc.	Pure Foods, Inc.	RR 3 Box 278B	Wheeling	WV	26003	2,435 A Birch Run	631/232
	1 4.16	Newberry	Philip E.	RD 6 Box 278B	Wheeling	WV	26003	1,181 A Birch Run 1982 Mobile Home	622/609
	1 5	Lorence	Thomas & Silvia	RR 1 Box 297C	Moundsville	WV	26041	7.90 Birches Run	588/634

**EXHIBIT A - SURFACE TRACTS (SHOEMAKER MINE)**  
**Tax Map 1, Webster District, Marshall County, West Virginia**

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
		State of WV for use of Conservation Commission of WV						15.04 A Birches Run	348/150
1	5.1	Goraskshy-Sera & Environmental Education Trust of America, Inc.	RR 6 Box 278B	Wheeling	WV	26003	89.107 Wheeling Creek	628/565	
1	6	GEETA	Calvin C. & Stanley L., et al.	610 Schrader Avenue	Wheeling	WV	26003	54.733 A Wheeling Creek	603/492
1	6.1	Merinar	Kenneth L., et al.	610 Schrader Avenue	Wheeling	WV	26003	2.039 A Wheeling Creek	671/238
1	6.2	Merinar	Betty Cecil, Tr. For Tatia Josephine Rose	P.O. Box 63	McMechen	WV	26040	7.16 W. A. McConnell	531/449
1	7	Rose	Intl Society for Krishna Consciousness					58.04 A Wheeling Creek	492/271
1	8		Intl Society for Krishna Consciousness					6.06 A Wheeling Creek	586/38
1	9		Intl Society for Krishna Consciousness					4 A 57/100 McCreary Ridge	544/593
1	10	Rose	Betty Cecil, Tr.	P.O. Box 63	McMechen	WV	26040		
1	11		Wolf Run Presbyterian Church		Moundsville	WV	26041	.5 Wolf Run Church Cemetery	277/495
1	12		Intl Society of Krishna Consciousness					52.494 A Wheeling Creek	492/271 & 19/447
1	12.2		Intl Society of Krishna Consciousness					3.866 A Wheeling Creek	585/52 & 19/447
1	13		Intl Society of Krishna Consciousness					10.64 A Wheeling Creek	586/40 & 19/447
1	14		Intl Society of Krishna Consciousness					5.93 Wheeling Creek	586/49 & 19/447
1	15		Intl Society of Krishna Consciousness					16.97 Wheeling Creek	492/271 & 19/447
1	16		Intl Society of Krishna Consciousness					99.081 A Wheeling Creek	549/17 & 19/447
1	16.1	Cathedral of Healing, Inc.	RR 1 Box 331	Moundsville	WV	26041	1.007 A Wheeling Road	549/14	
1	16.2	Intl Society of Krishna Consciousness						1.138 A Wheeling Creek	510/363 & 19/447
1	16.3	Share Your Care, Inc.	Share Your Care, Inc.	RD 1 Box 319	Moundsville	WV	26041	1.594 A Wheeling Creek	650/91
1	17	Intl Society of Krishna Consciousness						2 Acres McCreary Ridge	587/31

**EXHIBIT A - SURFACE TRACTS (SHOEMAKER MINE)**  
**Tax Map 1, Webster District, Marshall County, West Virginia**

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Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
1	18	Intl Society of Krishna Consciousness						3,709 McCreary Ridge Road	511/295 & 19447
1	18.1	Mowen	John H., Jr. & Scott M. Birderman	RD 1 Box 319	Moundsville	WV	26041	2,321 A McCreary Ridge Road	618/491
1	19	Rose	Betty Cecil Tr. For Tatia Josephine Rose	P.O. Box 63	McMechen	WV	26040	154.21 McCreary Ridge	531/449
1	20	GEETA	Goralski-Sera & Environmental Education Trust of America, Inc.	RR 6 Box 278B	Wheeling	WV	26003	30 Birch Run	628/565
1	21	Plants	Olive Est.	RR 3 Box 178	Wheeling	WV	26003	13 Birches Run	WB 80/279
1	22	Plants	Olive Est.	RR 3 Box 178	Wheeling	WV	26003	8613 Birches Run	WB 80/279

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 4th day of November, 2008, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 5th day of December, 2008 at 3:33 o'clock P.M.

TESTE: JAN PEST Clerk.